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Message Text

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11
ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00

DOTE-00 INR-07 NSAE-00 FAA-00 L-03 /032 W
---------- 043565
P R 290804Z OCT 75
FM AMEMBASSY THE HAGUE
TO SECSTATE WASHDC PRIORITY 6900
INFO AMEMBASSY BERN
AMEMBASSY BONN
AMEMBASSY BRUSSELS
AMEMBASSY DUBLIN
AMEMBASSY LIMA
AMEMBASSY LISBON
AMEMBASSY LONDON
AMEMBASSY MADRID
AMEMBASSY PARIS
AMEMBASSY ROME
AMEMBASSY VIENNA

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LIMA FOR USDIVAIRDEL STYLES

E.O. 11652: N/A
TAGS: EAIR, NL
SUBJECT: CIVAIR: US-NETHERLANDS CHARTER TALKS

1. CHARTER TALKS WITH NETHERLANDS CONCLUDED AFTER ONE DAY WITHOUT AGREEMENT. DURING COURSE OF DISCUSSIONS GON DEL RAISED AGAIN SAME ISSUES DISCUSSED WITH ECAC OCT 22-23 (PRICE CONTROL, MINIMUM GROUP SIZE AND COMMINGLING WITH RESPECT TO OTCS AND SECS; TGC SUBSTITUTION PROVISIONS; PRE-LISTING FOR AFFINITIES; UPLIFT RATIO AND UNLIMITED GEOGRAPHIC ACCESS TO US MARKET FOR EUROPEAN CARRIERS) AND WERE GIVEN ESSENTIALLY SAME REPLIES AS IN PARIS FOR USDEL. GON ALSO SOUGHT US COMMITMENT TO PROVIDE ECAC WITH INFORMATION
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ON DEVELOPMENTS RELATING TO OTCS AND TO AGREE TO MEET

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WITH ECAC BEFORE END OF 1976 TO REVIEW SITUATION.
USDEL NOTED INAPPROPRIATENESS OF TRYING TO NEGOTIATE
MULTILATERAL ISSUE IN BILATERAL TALKS BUT REPEATED
PARIS STATEMENT THAT US WOULD BE WILLING SUPPLY
PUBLIC INFORMATION ON OTCS TO ECAC AND REVIEW SITUATION
MULTILATERALLY PROVIDED SUCCESSFUL NEGOTIATIONS OF
ACCEPTABLE BILATERAL ARRANGEMENTS ARE COMPLETED IN
TIMELY FASHION. FAILURE TO SATISFY LATTER CONDITION
WOULD CALL INTO QUESTION ECAC GOOD FAITH IN DELIVERING
ON THEIR PART OF BARGAIN STRUCK IN 1974 OTTAWA
COMPROMISE.

2. GON DEL SAID THEY WOULD CONSIDER OUR ARGUMENTS IN
FAVOR OF OPEN-ENDED BILATERAL ARRANGEMENT WITH TERMINATION
OF PROVISION AND CONSULTATION CLAUSE BUT INDICATED THEY
WERE UNLIKELY TO GO ALONG BECAUSE ECAC WISHED TO USE
INSTEAD A ONE-YEAR AGREEMENT AS MEANS OF ENSURING
THAT US CONTINUES TO WORK WITH ECAC TOWARD MULTI-
LATERAL AGREEMENT. DISCUSSION ON AFFINITY PRE-
LISTING REVALED GON WANTED LIST FILED 30-DAYS
IN ADVANCE BUT HAD NO PROBLEM WITH "REASONABLE"
NUMBER OF ADDITIONS AND SUBSTITUTIONS TO LIST
PROVIDED ALL WERE ELIGIBLE MEMBERS OF AFFINITY
ORGANIZATION. USDEL MAINTAINED NO PRE-LISTING
NECESSARY. DISCUSSION ON UPLIFT RATIO INDICATED
THAT THIS MAY BE A MORE DIFFICULT ISSUE WITH
INDIVIDUAL COUNTRIES THAN USG HAD ORIGINALLY
ANTICIPATED BECAUSE OF ECAC GUIDELINES TO MEMBER
STATES.

3. GON DEL SAID IT WOULD NOT NOW GIVE US ANSWER ON
GENERAL ACCEPTABILITY OF PRICE SURVEILLANCE APPROACH
RE OTCS AND COULD NOT INDEED MAKE ANY COMMITMENTS
ON RELATED MATTERS SUCH AS MINIMUM GROUP SIZE AND
COMINGLING UNLESS AND UNTIL ECAC MOU MODIFIED.
BECAUSE OF THIS A SECOND ROUND OF CHARTER TALKS
WOULD BE REQUIRED. USDEL SUGGESTED, AS PRACTICAL
MATTER, NEGOTIATION OF TEXT OF AGREEMENT NOW BUT
TO BE SIGNED AFTER ECAC GAVE ITS BLESSING BUT GON
WOULD ONLY GO SO FAR AS TO AGREE TO STUDY A US
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DRAFT AND SO WE OFFERED NONE. WE POINTED OUT
SECOND ROUND REQUIREMENT RAISES VERY SERIOUS PROBLEM
OF TIMING FOR US IN TERMS OF NEGOTIATING SCHEDULE,
COULD JEOPARDIZE ABC PROGRAMS FROM NETHERLANDS TO US,
WOULD IMPAIR MARKETING OF NEXT SEASON'S CHARTER
PROGRAMS AND WOULD RAISE QUESTION OF ECAC
GOOD FAITH IN, ON THE ONE HAND, AGREEING TO
BILATERAL ARRANGEMENTS BUT, ON THE OTHER, ADOPTING

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SET OF CHARTER RULES UNDER GUISE OF "MAIN PRINCIPLES"
WHICH MAKE PRODUCTIVE BILATERAL NEGOTIATION
IMPOSSIBLE. GON DEL WAS UNSWAYED BY US ARGUMENTS AND
TALKS ENDED WITHOUT ANY COMMITMENT AS TO WHEN OR
WHETHER A SECOND ROUND TO TALKS WOULD BE HELD.
GOULD

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